

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Charles Abieanga,

Civ. No. 24-3131 (JWB/SGE)

Petitioner,

v.

Billy Eischen,  
*Warden FPC Duluth,*

**ORDER ACCEPTING  
REPORT AND RECOMMENDATION  
OF MAGISTRATE JUDGE**

Respondent.

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United States Magistrate Judge John F. Docherty issued a Report and Recommendation (“R&R”) on September 18, 2024. (Doc. No. 5.) No objections have been filed to that R&R in the time permitted. Absent timely objections, the R&R is reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, no clear error is found.

Based on the R&R of the Magistrate Judge, and on all the files, records, and submissions, **IT IS HEREBY ORDERED** that:

1. The September 18, 2024 Report and Recommendation (Doc. No. 5) is **ACCEPTED**;
2. Petitioner Charles Abieanga’s Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241 (Doc. No. 1) is **DENIED** and this matter is **DISMISSED WITHOUT PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: October 23, 2024

*s/Jerry W. Blackwell*

JERRY W. BLACKWELL

United States District Judge